

**REMARKS**

Claims 1, 4-9 and 14-18 are all the claims pending in the application.

**Claim Rejections - 35 U.S.C. § 103**

**Claims 1, 4-9, and 16-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gonzales et al. (U.S. Pub. 2003/0074088, hereinafter “Gonzales”) in view of Maxson et al. (U.S. Pub. 2002/0171762, hereinafter “Maxson”).** Applicant respectfully traverses the rejection.

***Claims 1 and 16***

Claim 1 recites, *inter alia*:

wherein the home-state set comprises common profiles of each of the home-state information sources, each of the common profiles including characteristics common to all of the home-state information sources and a value for each characteristic that is unique to the home-state information source, and

wherein operation a) comprises a1) constructing unique profiles of home-state information sources, each of the unique profiles including characteristics of a home-state information source that are **not** common to all of the home-state information sources and a value for each characteristic that is unique to the home-state information source.

Applicant respectfully submits that the combination of Gonzales and Maxson neither teaches nor suggests this claimed combination of features. This is because neither Gonzales nor Maxson, taken alone or in combination, discloses creating both common profiles and unique profiles for devices in a home network. More specifically, neither Gonzales nor Maxson discloses creating a unique profile, “including characteristics of a home-state information source that are **not** common to all of the home-state information sources” for a device.

Maxson discloses a system for centrally controlling the operation of various devices in a home network. *See* Maxson, Abstract. In Maxson, the home network is a home theater network

system 10 (HTNS) controlled by a primary display and control unit (PCDU). *See* Maxson, ¶¶ 42-43. The PCDU is an integrated control system for controlling devices in the HTNS in the form of a graphical user interface (GUI). *See* Maxson, ¶¶ 43, 51. The devices controlled by the PCDU include a VCR 41, a camcorder 42, a DVD player 43, etc, which are represented by icons in the GUI. *See* Maxson, ¶¶ 50-51, 53-54.

In the HTNS, a device management system 116 (DMS) maintains a device container list 117 (DCL), which is a database of the supported devices that make up the HTNS. *See* Maxson, ¶¶ 69, 72. Additionally, paragraph 72 of Maxson discloses (emphasis added):

Information about each device is placed into a device container object (DCO), which is stored in persistent memory 106. *The DCO consists of a variety of information common to all devices regardless of device type*, including such information as *a logical device ID* to keep track of the device in the system and used to link device icons to the appropriate device DCO, a model number ID to identify which device model object (DMO) is associated with the device, and for IRC devices, identify an IR code file, and an indication of whether the device is a 1394 device or not, etc.

Accordingly, Maxson discloses a DCO for each device, the DCO for each device having a logical device ID. Specifically, “[a]s part of creating the DCOs, the DMS 116 assigns each device a logical device ID.” *See* Maxson, ¶ 73. Thus, Maxson makes clear that every device has a DCO containing a device ID. Therefore, Applicant respectfully submits that Maxson neither teaches nor suggests the claimed unique profile “including *characteristics of a home-state information source that are not common to all of the home-state information sources*.” This is because the device ID is not a characteristic, which is “*not common*” to all devices. Rather, as clearly shown above, the device ID is a characteristic common to all devices.

As a result, Applicant respectfully submits that Maxson fails to teach or suggest the claimed combination of features including the “common profiles” and “unique profiles.”

The Examiner concedes that Gonzales fails to teach or suggest these features, and hence, even if Gonzales and Maxson could have somehow been combined, the combination would still fail to teach or suggest the combination of features recited in claim 1. Accordingly, claim 1 and its dependent claims would not have been rendered unpatentable by the combination of Gonzales and Maxson for at least these reasons. To the extent independent claim 16 recites features similar to those discussed above regarding claim 1, claim 16 and its dependent claims also would not have been rendered unpatentable by the combination of Gonzales and Maxson for at least reasons analogous to those discussed above regarding claim 1.

**Claims 14 and 15 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gonzales, in view of Maxson, and further in view of Official Notice.**

Applicant respectfully traverses the rejection.

Independent method claim 14 recites features similar to those discussed above regarding claim 1. Applicant respectfully submits that, even if the combination of Gonzales and Maxson could have been modified, as the Examiner alleges, the combination would still fail to teach or suggest the combination of features in claim 14 for at least reasons analogous to those discussed above regarding claim 1. Accordingly, Applicant respectfully submits that claims 14 and 15 would not have been rendered unpatentable by the combination of Gonzales, Maxson, and Official Notice for at least these reasons.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: October 21, 2009